



The Little Traverse Bay Bands of Odawa Indians
In Council Chambers and via ZOOM

Tribal Council Regular Meeting Agenda
July 27, 2023
9:00 a.m.

All meetings, work sessions and Citizens' meetings are recorded

Agenda subject to change and may include closed session

Public Comment 11:45 a.m. & 3:00 p.m. (approximate)

Lunch Recess may be held approximately 12:00 p.m. - 1:30 p.m.

Participation. With respect to all participants, and in accordance with Waganakising Odawak Statute 2015-014 Open Meetings of the Tribal Council, and the Tribal Council Meeting Policy and Procedures for Electronic Meetings, participants are required to provide their full name and Tribal affiliation at log in for meeting entry. Citizens use name and enrollment number, all others who are required to be in the meeting, use name and title. Without required identification you will remain in the Zoom waiting room of this session until the entry criteria is met. If you log in under what appears to be a fictitious name, you may be removed and will not be provided entry into the meeting room until such time as your log in is verifiable.

Public Comment.

Tribal Council will not accept comments nor discuss matters that relate to the following:

1. Personnel matters.
2. Personal information affecting an individual's privacy, including personnel matters. or medical conditions or similar matters that constitute a clearly unwarranted invasion of personal privacy unless it pertains to the Tribal Citizens who is raising the matter.
3. Matters covered by attorney client privilege.
4. Matters considered confidential by other Statutes.
5. Matters regarding confidential business or legal matters of the Tribe or a Tribal Citizen.
- 6 Matters that could impair a criminal investigation.

(Source: WOS 2015-014, July 24, 2015, Section VI)

Topic: Tribal Council Meeting

Time: Jul 27, 2023 09:00 AM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82832037952?pwd=ZWdpNVlzaFF1NzE2bHZWSTFRN2J0UT09>

Meeting ID: **828 3203 7952**

Passcode: 577735

One tap mobile

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Dial by your location

• +1 309 205 3325 US

• +1 312 626 6799 US (Chicago)

• +1 646 931 3860 US

07-27-2023 Tribal Council Meeting Agenda

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- +1 301 715 8592 US (Washington DC)
- +1 305 224 1968 US
- +1 669 444 9171 US
- +1 669 900 6833 US (San Jose)
- +1 689 278 1000 US
- +1 719 359 4580 US
- +1 253 205 0468 US
- +1 253 215 8782 US (Tacoma)
- +1 346 248 7799 US (Houston)
- +1 360 209 5623 US
- +1 386 347 5053 US
- +1 507 473 4847 US
- +1 564 217 2000 US

Meeting ID: 828 3203 7952

Passcode: 577735

Find your local number: <https://us02web.zoom.us/j/keDcVn0LAI>

GENERAL SESSION

1. Call to Order
2. Opening Ceremony
3. Roll Call
4. Review Agenda
Motion to adopt the agenda of July 27, 2023 as (presented/amended).
5. Meeting Dedication
Motion to dedicate this meeting in honor of the following Tribal Citizen(s) who have walked on: Lori Allen-ba, Elmer Bruette-ba, Johanna Cameron-ba, Victoria Haywood-ba, Melvin Napont-ba, and Noah Olson-ba
6. Review and Approve Minutes of July 13, 2023.
Motion to approve the minutes of July 13, 2023 as (presented/corrected).
7. **9:15 a.m.** Introduction of new Tribal Government Employees
 - Charles Moore – Facilities Cleaning Technician – Facilities
 - Maxwell Field – Archivist – Repatriation and Archives
 - Jennifer Phelps – Medical Assistant – Health
 - Julie Janiske – Grants Facilitator II (Transfer) – Grants
 - Jay Field – I.T. Director (Transfer) – Information Technology
 - Patricia Waucaush – Program Generalist (Transfer) – Human Services
 - Benedict Hinmon – Education Programs Administrator (Transfer) - Education

*Please note this list is not reflective of who will be in attendance for New Employee Introductions at the Tribal Council meeting.

8. Executive Oversight Report

Motion to acknowledge receipt of the verbal and written Executive Oversight Report as presented by Tribal Chair Regina Gasco-Bentley for July 27, 2023.

9. 10:00 a.m. Tribal Burial Board Inc. 2023 2nd Quarter Report.

Motion to acknowledge receipt of the verbal and written Tribal Burial Board, Inc. 2023 2nd Quarter Report as presented by... for July 27, 2023.

10. 11:00 a.m. Gaming Authority-Odawa Casino Resort 2023 2nd Quarter Report

Motion to acknowledge receipt of the verbal and written 2023 2nd Quarter Report and as presented by...for July 27, 2023.

Motion to acknowledge receipt of the written Gaming Authority/Odawa Casino Resort June 2023 Status Report dated July 24, 2023.

11. Legislative Leader Report

Motion to acknowledge receipt of Legislative Leader Emily Proctor's verbal and written report for July 27, 2023.

12. Secretary Report

a. Documents Delivered to the Executive: None

b. Vetoes (a vote of Tribal Council to override a veto shall occur within 90-days of the veto): None

c. Phone Polls passed by Tribal Council: Two

07/17/2023 Motion to approve Odawa Economic Affairs Holding Corporation Charter Amendment.

Vote: 8 – Yes, 1 – No (Councilor Melissa Pamp), 0 – Abstain, 0 – Absent

Motion Carried.

07/17/2023 Motion to approve CERTIFIED MOTION # 071823-01 Rescinding CERTIFIED MOTION # 062923-01 Dissolution of Odawa Economic Affairs Holding Corporation.

Vote: 9 – Yes, 0 – No, 0 – Abstain, 0 – Absent

Motion Carried.

Motion to acknowledge receipt of Secretary Marcella Reyes' verbal and written report as provided on the agenda for July 27, 2023.

13. Treasurer Report

Appropriations and Finance Committee

Last Meeting: July 18, 2023

Motions made at Appropriations and Finance Committee Meeting:

Motion to recommend to Tribal Council to approve CERTIFIED MOTION # 072723-01 Request for Funding from the Bureau of Indian Affairs P.L. 93-638 Annual Funding Agreement Consolidated Tribal Government Programs Annual Contract FY 2024.

Vote: 2 – Yes, 0 – No, 0 – Abstain, 1 – Absent (Treasurer Leroy Shomin)

Motion Carried.

Motion to recommend to Tribal Council to approve CERTIFIED MOTION # 072723-02 Request for Funding from the Bureau of Indian Affairs P.L. 93-638 Annual Funding Agreement Law Enforcement Annual Contract FY 2024.

Vote: 2 – Yes, 0 – No, 0 – Abstain, 1 – Absent (Treasurer Leroy Shomin)

Motion Carried.

Motion to recommend to Tribal Council to approve CERTIFIED MOTION # 072723-03 Request for Funding from the Indian Health Service Annual Funding Agreement FY 2024.

Vote: 2 – Yes, 0 – No, 0 – Abstain, 1 – Absent (Treasurer Leroy Shomin)

Motion Carried.

Motion to recommend to Tribal Council to approve CERTIFIED MOTION # 072723-04 Request for Funding from the Food and Nutrition Service Food Distribution Program on Indian Reservations (FPIR) FY 2024.

Vote: 2 – Yes, 0 – No, 0 – Abstain, 1 – Absent (Treasurer Leroy Shomin)

Motion Carried.

Motion to recommend to Tribal Council to approve CERTIFIED MOTION # 072723-05 Request for Funding from the State of Michigan, Department of Health & Human Services Child Care Fund FY 2024 In Home Services: Human Services Component.

Vote: 2 – Yes, 0 – No, 0 – Abstain, 1 – Absent (Treasurer Leroy Shomin)

Motion Carried.

Motion to recommend to Tribal Council to approve CERTIFIED MOTION # 072723-06 Request for Funding from the State of Michigan, Department of Health & Human Services Child Care Fund FY 2024 In Home Services: Tribal Court Component.

Vote: 2 – Yes, 0 – No, 0 – Abstain, 1 – Absent (Treasurer Leroy Shomin)

Motion Carried.

Motion to recommend to Tribal Council to adopt Tribal Resolution Supplemental Funding in the amount of \$997,619 for FY 2023 to implement the LTBB Elder Vision Care Program to come from Third Party Revenue generated by the LTBB Health Department.

Vote: 2 – Yes, 0 – No, 0 – Abstain, 1 – Absent (Treasurer Leroy Shomin)

Motion Carried.

Motion to recommend to Tribal Council to adopt Tribal Resolution Supplemental Funding in the amount of \$1,056,846 for FY 2024 to support the LTBB Elder Vision Care Program to come from Third Party Revenue generated by the LTBB Health Department.

Vote: 2 – Yes, 0 – No, 0 – Abstain, 1 – Absent (Treasurer Leroy Shomin)

Motion Carried.

Motion to recommend to Tribal Council to adopt Tribal Resolution Budget Modification in the amount of \$30,000 for FY 2023 to support the LTBB Elders Department Ramp Program to come from the Capital Expenditures Fund.

Vote: 2 – Yes, 0 – No, 0 – Abstain, 1 – Absent (Treasurer Leroy Shomin)

Motion Carried.

Motion to recommend to Tribal Council to adopt Tribal Resolution Supplemental Funding in the amount of Fifty Thousand Dollars (\$50,000) to meet additional cost of securing a technological upgrade for Tribal Council Chambers to come from the General Fund-Fund Balance.

Vote: 2 – Yes, 0 – No, 0 – Abstain, 1 – Absent (Treasurer Leroy Shomin)

Motion Carried.

Motion to recommend to Tribal Council to adopt Tribal Resolution Supplemental Funding in the amount of \$626,000 to construct an additional apartment building at Mtigwaakiis Housing Development to come from the General Fund-Fund Balance.

Vote: 2 – Yes, 0 – No, 0 – Abstain, 1 – Absent (Treasurer Leroy Shomin)

Motion Carried.

Motion to **TABLE** the recommendation to Tribal Council to approve the GNI Phase I, LLC's Energy Improvement Loan with PACE Loan Group.

Vote: 2 – Yes, 0 – No, 0 – Abstain, 1 – Absent (Treasurer Leroy Shomin)
Motion Carried.

Phone Polls passed by Appropriations and Finance Committee: None

Next Meeting: Tuesday, August 15, 2023 at 9:00 a.m. in Council Chambers and via Zoom

Motion to acknowledge receipt of the Appropriations and Finance Committee verbal and written report as provided on the agenda by Treasurer Leroy Shomin, Committee Chair for July 27, 2023.

14. Land and Reservation Committee Report

Last Meeting: July 6, 2023

Motions made at the July 6, 2023 Land and Reservation Committee Meeting were presented to Tribal Council at their July 13, 2023 meeting.

Phone Polls passed by Land and Reservation Committee: None

Next Meeting: Friday, August 4, 2023 at 9:00 a.m. in Council Chambers and via Zoom

Motion to acknowledge receipt of the Land and Reservation Committee verbal report as provided on the agenda by Councilor Aaron Otto, Committee Chairperson for July 27, 2023.

15. Tribal Council Member Reports:

- a. Councilor Fred Kiogima
- b. Councilor Tamara Munson
- c. Councilor William Ortiz
- d. Councilor Aaron Otto
- e. Councilor Melissa Pamp
- f. Councilor James Pontiac
- g. Legislative Leader Emily Proctor
- h. Secretary Marcella Reyes
- i. Treasurer Leroy Shomin

Motion to acknowledge receipt of ...(verbal/written) report for July 27, 2023.

16. **1:30 p.m.** Ziibimijwang, Inc. 2nd Quarter Report

Motion to acknowledge receipt to the verbal and written Ziibimijwang, Inc's 2023 2nd Quarter Report as presented by...for July 27, 2023.

17. **2:15 p.m.** Odawa Online GSP 2nd Quarter Report (tentative Closed Session)

_____ **p.m. Motion** to enter into Closed Session for Confidential Business.

_____ **p.m. Motion** to return to Open Session.

Motion to acknowledge receipt of the verbal and written Odawa Online GSP Report as presented by GSP Online Gaming Primary Executive Official Matt Stemkoski for July 27, 2023.

Motion to...(dependent on closed session discussion)

18. Office of Finance and Revenue - Senior Financial Analyst

a. Office Update

b. Corporate Charters and/or Board Updates:

- Gaming Authority – 11:00 a.m. Odawa Casino Resort 2nd Quarter report; 2:15 p.m. Odawa Online GSP, LLC. 2nd Quarter report
- Odawa Economic Development Management, Inc.
- Tribal Burial Board – 10:00 a.m. 2nd Quarter Report
- Ziibimijwang, Inc. – 1:30 p.m. 2nd Quarter Report

Motion to acknowledge receipt of Sr Financial Analyst Rachel Cope's verbal and written report for July 27, 2023.

19. Tribal Historic Preservation Officer

Motion to acknowledge receipt of Tribal Historic Preservation Officer Melissa Wiatrolik's verbal and written report for July 27, 2023.

20. Legislative Services Attorney

- Closed Session for Confidential Business

_____ a.m./p.m. **Motion** to enter into Closed Session for Confidential Business.

_____ a.m./p.m. **Motion** to return to Open Session.

Motion to acknowledge receipt of Legislative Services Attorney Zach Welcker's verbal and written report for July 27, 2023.

Motion to (dependent on Closed Session material)

Motion to approve the Memorandum of Understanding between Michigan Department of Health and Human Services (MDHHS) and the Little Traverse Bay Bands of Odawa Indians for After-Hours Coverage on Trust Lands, and authorize the Tribal Chairperson to sign on Behalf of the Tribe.

Motion to adopt Tribal Resolution Limited Waiver of Sovereign Immunity of the Little Traverse Bay Bands of Odawa Indians to Enter into a Memorandum of Understanding with the Michigan Department of Health and Human Services for After-Hours Coverage on Trust Lands.

21. General Counsel

Motion to acknowledge receipt of General Counsel Jim Bransky's written report for July 27, 2023.

22. Office of Citizens Legal Assistance

Motion to acknowledge receipt of Office of Citizens Legal Assistance Attorney Cherie Dominic's 2023 1st and 2nd Quarter written reports dated July 16, 2023.

23. Legislative Office Director

Motion to acknowledge receipt of Legislative Office Director Michele Portman-LaCount's verbal and written report for July 27, 2023.

24. Motions

- a. **Motion** to approve CERTIFIED MOTION # 072723-01 Request for Funding from the Bureau of Indian Affairs P.L. 93-638 Annual Funding Agreement Consolidated Tribal Government Programs Annual Contract FY 2024.
- b. **Motion** to approve CERTIFIED MOTION # 072723-02 Request for Funding from the Bureau of Indian Affairs P.L. 93-638 Annual Funding Agreement Law Enforcement Annual Contract FY 2024.
- c. **Motion** to approve CERTIFIED MOTION # 072723-03 Request for Funding from the Indian Health Service Annual Funding Agreement FY 2024.
- d. **Motion** to approve CERTIFIED MOTION # 072723-04 Request for Funding from the Food Distribution Program on Indian Reservations (FDPIR) FY 2024.
- e. **Motion** to approve CERTIFIED MOTION # 072723-05 Request for Funding from the State of Michigan, Department of Health & Human Services Child Care Fund FY 2024 In Home Services: Human Services Component.
- f. **Motion** to approve CERTIFIED MOTION # 072723-06 Request for Funding from the State of Michigan, Department of Health & Human Services Child Care Fund FY 2024 In Home Services: Tribal Court Component.
- g. **Motion** to approve Citizenship List A (Eligible) dated July 24, 2023 for a total of twenty (20).
- h. **Motion** to approve Citizenship List B (Ineligible) dated July 24, 2023 for a total of three (3).
- i. **Motion** to post to the web for comment the draft Executive Commission, Boards and Committees Statute as sponsored by...
- j. **Motion** to schedule a Special Work Session on _____, 2023 at _____ a.m./p.m. for further discussion regarding the Tribal Burial Board, Inc.

25. Roll Call Votes

- a. **Motion** to adopt Tribal Resolution Supplemental Funding in the amount of \$997,619 for FY 2023 to implement the LTBB Elder Vision Care Program to come from Third Party Revenue generated by the LTBB Health Department.

- b. **Motion** to adopt Tribal Resolution Supplemental Funding in the amount of \$1,056,846 for FY 2024 to support the LTBB Elder Vision Care Program to come from Third Party Revenue generated by the LTBB Health Department.
- c. **Motion** to adopt Tribal Resolution Budget Modification in the amount of \$30,000 for FY 2023 to support the LTBB Elders Department Ramp Program to come from the Capital Expenditures Fund.
- d. **Motion** to adopt Tribal Resolution Supplemental Funding in the amount of Fifty Thousand Dollars (\$50,000) to meet additional cost of securing a technological upgrade for Tribal Council Chambers to come from the General Fund-Fund Balance.
- e. **Motion** to adopt Tribal Resolution Supplemental Funding in the amount of \$626,000 to construct an additional apartment building at Mtigwaakiis Housing Development to come from the General Fund-Fund Balance.

26. Other Items of Business:

a.

27. Adjournment

_____ **a.m./p.m. Motion** to adjourn.

Next Scheduled Meeting;
Thursday, August 10, 2023 at 9:00 a.m. in Council Chambers and via Zoom